

Application No.: 10/760,987

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### Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### Listing of Claims:

1. (Currently Amended) A biaxially oriented polyester film which has a base layer (B), at least one side of which has been coated with a barrier layer (D), wherein the base layer (B) comprises poly(m-xylenedipamide) and polyester and the barrier layer (D) is composed of a blend in which a film-forming substance and a copolymer of maleic acid and acrylic acid are present, wherein the polyester film has an oxygen transmission (OTR) smaller than  $30 \text{ cm}^3 \cdot \text{m}^{-2} \cdot \text{d}^{-1} \cdot \text{bar}^{-1}$  and the base layer (B) exhibits a gloss of greater than 100.

2. (Original) The polyester film as claimed in claim 1, wherein the base layer (B) comprises from 5 to 30% by weight of poly(m-xylenedipamide), based on the weight of the base layer (B).

3. (Original) The polyester film as claimed in claim 1, wherein the melt viscosity of the poly(m-xylenedipamide) is smaller than 2000 poises.

4. (Canceled) Please cancel Claim 4.

5. (Currently Amended) The polyester film as claimed in claim [[4]] 1, wherein the ~~thermoplastic~~ polyester of the base layer (B) has at least one of ethylene glycol units and terephthalic acid units, or ethylene glycol units and naphthalene-2,6-dicarboxylic acid units.

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6. (Currently Amended) The polyester film as claimed in claim ~~[[4]]~~ 1, wherein the polyester of the base layer (B) has isophthalic acid units, terephthalic acid units, and ethylene glycol units.

7. (Currently Amended) The polyester film as claimed in claim ~~[[4]]~~ 1, wherein polyethylene terephthalate is used as polyester of the base layer (B).

8. (Original) The polyester film as claimed in claim 1, wherein polyvinyl alcohol is used as film-forming substance for the barrier layer (D).

9. (Canceled) Please cancel Claim 9.

10. (Canceled) Please cancel Claim 10.

11. (Original) The polyester film as claimed in claim 1, which has a D-B-C layer structure, C being an overlayer which may be identical with or different from (D).

12. (Original) The polyester film as claimed in claim 11, wherein the overlayer (C) comprises the polyester used for the base layer (B).

13. (Canceled) Please cancel Claim 13.

14. (Canceled) Please cancel Claim 14.

15. (Original) The polyester film as claimed in claim 1, which has a haze smaller than 20%.

16. (Original) The polyester film as claimed in claim 1, wherein the adhesion between the base layer (B) and the barrier layer (D) is greater than 0.5 N/25 mm.

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17. (Original) A process for producing a polyester film as claimed in claim 1, encompassing the steps of

- a) production of a film by extrusion or coextrusion,
- b) longitudinal stretching of the film,
- c) coating of the film with the barrier layer (D),
- d) transverse stretching of the coated film, and
- e) heat-setting of the stretched film.

18. (Currently Amended) Packaging film comprising polyester film as claimed in claim 1.

19. (New) A film according to Claim 1, wherein the melt viscosity of the poly(m-xylenedipamide) is within 30% of the melt viscosity of the polyester.

20. (New) A film according to Claim 1, wherein said film further comprises recycle formed from said film, present in an amount of from about 10 to 60 % by weight.

21. (New) A biaxially oriented polyester film which has a base layer (B), at least one side of which has been coated with a barrier layer (D), said base layer (B) comprising poly(m-xylenedipamide) and polyester and said barrier layer (D) comprising a film-forming substance and a copolymer of maleic acid and acrylic acid, wherein the only catalysts associated with the film consist of polymerization catalyst(s).